

Franchise Tax Board

NO ANALYSIS REQUIRED

Author: Shelley Analyst: Roger Lackey Bill Number: AB 2799
Related Bills: See Legislative History Telephone: 845-3627 Amended Date: 05-23-2000
Attorney: Patrick Kusiak Sponsor: _____

SUBJECT: Public Record Disclosure/Make Available In Electronic Format If Available & When Requested

- _____ ANALYSIS NOT REQUIRED of this bill -- Not within scope of responsibility of this department.
_____ TECHNICAL BILL -- No program or fiscal changes to existing program.
_____ BILL AS AMENDED NO LONGER WITHIN SCOPE of responsibility or program of the department.
_____ TECHNICAL AMENDMENT - No change in previously submitted analysis required. Approved position of prior analysis is _____.
_____ MINOR AMENDMENT - No change in previously submitted analysis required. Approved position of prior analysis is _____.
☒ MINOR AMENDMENT - No change in approved position of Pending. See comments below.
_____ OTHER - See comments below.

COMMENTS:

This bill would require any state or local agency that has public information in an electronic format to make that information available to the public in the electronic format in which the state agency holds the information. The requester would pay the direct cost of duplicating the public record in an electronic format.

This bill would further require a public record to be disclosed if, on the facts of the particular case, the public interest is served by disclosing the record.

The May 23, 2000, amendment changed the requirement that a state agency justify in writing withholding a requested record. The new language clarifies that a written response is required only for a written request and regardless of whether the request is denied in whole or in part.

Except for the discussion above, the department's analysis of AB 2799 as amended April 27, 2000, still applies.

Board Position:

_____ S	_____ NA	_____ NP
_____ SA	_____ O	_____ NAR
_____ N	_____ OUA	<u> X </u> PENDING

Franchise Tax Board Staff

Date

Roger Lackey 6/5/00